

**EXCERPTED DEPO. TR.**  
**ELIZABETH A.**  
**JENNISON, M.D.**

12/9/2016

Elizabeth Jennison, M.D.

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UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND  
C.A. NO. 15-CV-00179-S-LDA

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MAYRA F. PENA,

: Video

Plaintiff,

: Deposition of:

v.

: ELIZABETH A.

: JENNISON, M.D.

HONEYWELL INTERNATIONAL  
INC.,

:

: **COPY**

Defendant.

:

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TRANSCRIPT of testimony as taken by  
and before MARGE TEILHABER, Certified Shorthand  
Reporter (NJ license No. 30XI00085600 expires  
6/30/2018; CT license No. SHR.0000446 expires  
12/31/16), NCRA Registered Diplomate Reporter,  
and notary public of the states of New York, New  
Jersey, and Connecticut, at Honeywell, Inc., 115  
Tabor Road, Morris Plains, New Jersey, on Friday,  
December 9, 2016 commencing at 1:09 in the afternoon.

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1 Virginia.

2 Q. Okay. Did you ever practice medicine  
3 in an area other than occupational medicine?

4 A. No, I did not.

5 Q. Can you describe to us what your  
6 day-to-day duties are as the associate director of  
7 health services?

8 A. I help set minimum standards for our  
9 locations around the world in terms of their  
10 performance in occupational health duties, and I  
11 serve as internal consultant within the company  
12 to various locations to talk with them about problems  
13 they might have with occupational health.

14 Q. Is one of your responsibilities to  
15 make sure that employees don't get injured or sick  
16 on the job because of chemicals or other workplace  
17 safety issues?

18 A. Can you rephrase that, please?

19 Q. Yes. Is one of your primary job  
20 duties and responsibilities to insure that employees  
21 don't get injured on the job because of chemicals or  
22 other workplace issues?

23 A. Since I'm not located at a physical  
24 manufacturing location, I can only influence by the  
25 policies that our corporation sets that we expect

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1 Q. Was it in writing?

2 A. I believe it was.

3 Q. And can you explain what the policy  
4 was?

5 A. Our policy is that we follow the  
6 government law on this topic.

7 Q. Which is what?

8 A. If we have an employee that's  
9 requesting an accommodation, we follow the  
10 reasonable accommodation process as described in  
11 the Americans With Disabilities Act.

12 Q. When you were in medical school,  
13 Dr. Jennison, did you learn about psychological  
14 disorders?

15 A. We had a mandatory psychiatric  
16 rotation as part of our medical school education.

17 Q. Can you tell me about that?

18 A. Be more specific about what you want  
19 to know.

20 Q. Well, how long was the rotation for?

21 A. I believe it was six weeks.

22 Q. Can you describe to me the rotation  
23 and what it consisted of?

24 A. The items I recall would be doing  
25 individual patient interviews and observing

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1 A. He does write that.

2 Q. When you read this note, did you draw  
3 the conclusion that Dr. Greer was treating her for  
4 anxiety?

5 A. I expect that I inferred that from the  
6 memo but it's -- yes, I would expect I inferred this  
7 from the memo.

8 Q. Okay. And at that time did you  
9 believe that anxiety was a psychological disorder?

10 A. Yes.

11 Q. And at that time did you believe that  
12 anxiety is a disability under the ADA?

13 MR. McNAMARA: Objection.

14 Q. You can answer.

15 A. It could be a disabling condition  
16 under the Americans With Disabilities Act.

17 Q. Okay. As a doctor would you agree  
18 with me that in order to treat a patient for their  
19 medical condition, you have to rely on themselves  
20 reporting their symptoms to you?

21 A. That is not the only thing that you  
22 would rely on.

23 Q. That's one of the things you would  
24 rely on. Correct?

25 A. It is one aspect of what you would

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24 rely on. Correct?

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1 time. We felt we needed additional information.

2 Q. Okay. Well, just to clarify, you did.  
3 Right?

4 A. Yes.

5 Q. It was your -- who had the authority  
6 to grant or deny the accommodation at this time?  
7 Who other than you?

8 A. I never have the authority to grant or  
9 deny an accommodation.

10 Q. What is your role in this process?

11 A. I'm a medical consultant to the human  
12 resources and plant leadership.

13 Q. Who had the authority to grant or deny  
14 the request for a reasonable accommodation?

15 A. So the local human resources and plant  
16 leadership would make that decision.

17 Q. Was that Jose Gouveia?

18 A. I don't know.

19 Q. So your role was merely an advisory  
20 one at this point.

21 A. That's correct.

22 THE COURT REPORTER: Say that,  
23 repeat your question, please.

24 Q. Your role was merely an advisory one  
25 at this time. Correct?

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1 Q. What about Plaintiff's Exhibit 4, the  
2 Request For Reasonable Accommodation Request form?  
3 Did you see that or review that document in or about  
4 April 2013?

5 A. I don't recall.

6 Q. How is it that you remember the first  
7 document that was March 4, 2013 but you don't  
8 remember if you saw the other two documents that  
9 were sent, dated about a month later?

10 A. I wrote a letter to Dr. Greer  
11 referencing the March document, so clearly I had  
12 seen that document. I do not recall seeing either  
13 of the others.

14 Q. Well, have you had a chance to read  
15 Plaintiff's Exhibit 3, the April 2nd, 2013 letter?

16 A. Yes, I have, but it was presented to  
17 me on December 6 by Mr. McNamara.

18 Q. That was the first -- okay. When was  
19 the first time you saw Plaintiff's Exhibit 3?

20 A. I do not recall seeing it prior to  
21 December 6 of 2016.

22 Q. Now that you've had a chance to review  
23 it, does this letter, does this letter, does the  
24 information contained in this letter satisfy your  
25 request from your letter to Dr. Greer?



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1 the lower right-hand corner is numbered, starts with  
2 HW, it's got a bunch of zeros, and then it's 53.

3 A. I don't have that document.

4 Q. What about do you have a doctor's note  
5 from James Greer dated April 29, 2013?

6 A. Excuse me just a minute while I refer  
7 to the documents.

8 (Examining documents.)

9 Dated April 29th, yes, I do.

10 Q. Okay. So I'm going to represent to  
11 you that that was a third doctor's note that Dr.  
12 Greer wrote for Ms. Pena --

13 A. Yes.

14 Q. -- to give to Honeywell in her quest  
15 to get an accommodation for her disability. Did  
16 you review this document on December 6, 2016?

17 A. Yes.

18 Q. And do you recall if you reviewed this  
19 document in or about April of 2013?

20 A. I do not recall.

21 Q. When you said you don't recall seeing  
22 the last two doctors' notes, does that mean you  
23 could have seen them or you just don't remember?

24 A. I would say it's more probable than  
25 not that I had not seen them prior to December 6,

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1 2016.

2 Q. Okay. Let's take a look at his  
3 letter. He writes in the second sentence that:

4 "Ms. Pena has worked for  
5 Honeywell for eleven years prior to  
6 February 2013 and she was assigned a  
7 new work setting in the moulding  
8 room."

9 And he writes:

10 "She has reported repeatedly  
11 and consistently that she finds this  
12 new environment to be highly stressful  
13 referencing a variety of factors  
14 which included increased noise level,  
15 chemical odors, and the presence of  
16 robotics in the moulding room which  
17 have resulted in a significant  
18 exacerbation of her anxiety symptoms."

19 Had you seen this note in April of  
20 2013 and had you read that information, would that  
21 have satisfied Honeywell's request for more specific  
22 information so that it could determine the  
23 appropriate accommodation for her?

24 A. No.

25 Q. Why not?

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1 A. It might have.

2 Q. Tell me about all the conversations  
3 you had with other folks at Honeywell about Mayra  
4 Pena's -- strike that.

5 Who did you speak with at Honeywell  
6 about Mayra Pena's request for an accommodation of  
7 a disability?

8 A. I don't really remember.

9 Q. Did you speak to Mr. Gouveia?

10 A. I really don't know.

11 Q. Did you speak to the company attorney?

12 A. I don't recall.

13 Q. What about Jacqueline Rolfs? Do you  
14 know who she is?

15 A. Yes, I do. I don't recall if we ever  
16 spoke about this matter.

17 Q. Who is Jacqueline Rolfs?

18 A. She's a labor attorney in the  
19 corporation, and this was one of the facilities  
20 that she supported at the time.

21 Q. You don't recall if she ever, if you  
22 ever talked to her about Mayra Pena's request for  
23 an accommodation?

24 A. No, I don't.

25 Q. Okay. I believe you testified earlier